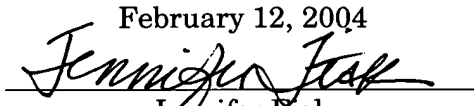


Patent Docket P2930R1C5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of David Botstein, et al. Serial No.: 10/033,435 Filed: December 27, 2001 For: <i>Secreted and Transmembrane Polypeptides and Nucleic Acids Encoding the Same</i>	Group Art Unit: 1634 Examiner: J.N. Fredman Confirmation No: 9704 Customer No: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450 on February 12, 2004  Jennifer Fisk
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NOTICE OF APPEAL

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals and Interferences from the decision dated October 29, 2003, of the Primary Examiner finally rejecting claims 35-37 and 41-46.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$330 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. **A duplicate copy of this Notice is enclosed for this purpose.**

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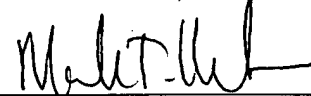
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Date: February 12, 2004

Respectfully submitted,

GENENTECH, INC.

By:



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